

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

Intercurrency Software LLC,	)	
	)	
<i>Plaintiff,</i>	)	Case No. 2:24-cv-01011-JRG
v.	)	(Lead Case)
	)	

Airwallex Pty. Ltd.,	)	
	)	
<i>Defendant.</i>	)	

---

Intercurrency Software LLC,	)	
	)	
<i>Plaintiff,</i>	)	Case No. 2:25-cv-00057-JRG
v.	)	(Member Case)
	)	

Tor Currency Exchange Ltd.,	)	
	)	
<i>Defendant.</i>	)	

**DEFENDANTS’ MOTION FOR RELIEF FROM ORDER**

Attorneys for Defendant Tor Currency Exchange Ltd. (“Tor”) respectfully submit the following Motion for Relief from the Court’s Show Cause Order of May 30, 2025 (Dkt. 25).

The attorneys for Tor sincerely apologize for any disrespect their conduct inadvertently conveyed to the Court. The attorneys stand ready to appear as ordered on June 11, 2025, and they take their duties and obligations to this Court very seriously. The lack of appearance at the scheduling conference resulted from a misreading of the Court’s scheduling order setting the scheduling conference.

By way of context, Tor’s position is that plaintiff Intercurrency did not properly serve Tor. (See Member Case No. 2:25-cv-00057-JRG, Dkt. 4). To avoid potentially unnecessary motion practice, akin to the motions filed in the *Intercurrency v. Foris DAX Asia Pte. Ltd.* litigation, the parties were in discussion regarding mechanisms to address the sufficiency of service. Rather than

burden the Court with preliminary motion practice, the attorneys were attempting to alleviate the need for such motion practice before answering or otherwise pleading. Based on a misreading of the Court's May 8 order setting the scheduling conference (Dkt. 14), Defense counsel mistakenly concluded that the order applied only to the parties in the lead case that had been served and responded to the complaint, and Tor therefore did not appear as ordered on May 28, 2025.

The attorneys understand the gravity of judicial orders and the need to adhere to them, and absent an order to the contrary, will be present as ordered on June 11, 2025.

Dated: June 2, 2025

Respectfully submitted,

/s/ Erik J. Halverson

Erik J. Halverson

Bar No. 333492CA

erik.halverson@klgates.com

**K&L GATES LLP**

Four Embarcadero Center, Suite 1200

San Francisco, CA 94111

Telephone: (415) 882-8238

Theodore J. Angelis

**K&L GATES LLP**

925 Fourth Avenue, Suite 2900

Seattle, WA 98104

Tel. (206) 623-7580

Fax (206) 623-7022

theo.angelis@klgates.com

*Attorneys for Defendant  
Tor Currency Exchange Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 2, 2025, all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(a)(3).

/s/ Erik Halverson

Erik Halverson